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File ACT/015/032 #5

Page 1 of 2 Pages

United States Department of the Interior
Office of Surface Mining
Mine Site Evaluation Inspection Report

For Office Use Only

1a
Y Y M M

1b
Batch

1c
Report

2. Name of Permittee

GENWA Coal Company

3. Street Address

PO Box 1201

4. City

Huntington

5. State

Wt

6. Zip Code

84527

7. Area Code

801

8. Telephone Number

687-4813

9. MSHA Number

42-01715-

10. Date of Inspection
(Y Y M M D D)

840307

11. State Permit Number

ACT 0151032

12. Name of Mine

Crandall Canyon

13. County Code

015

14. State Code

WT

15. Strata

16. State Area Office

01

17. OSM Field
Office No.

02

18. OSM Area
Office No.19. OSM
Sample No.

0230

20. Type of Inspection
(Code)

C

21. Joint Inspection
Yes No

X

22. Inspector's ID
No.

107

23. Status

A ☐ 01

Type of Permit

B ☐ A

Mine Status (Code)

C ☐ 20

Type of Facility (Code)

D ☐ 00164.4

Number of Permitted Acres

E ☐ 00005.7

Number of Disturbed Acres

24. Type of Activity (check applicable boxes).

A ☐ Steep SlopeE ☐ AnthraciteB ☐ Mountain Top RemovalF ☒ Federal LandsC ☐ Prime FarmlandsG ☐ Indian LandsD ☐ Alluvial Valley FloorsH ☐ Other

25. Performance Standards (Codes)

Instructions: Indicate compliance code. For any standard marked 2 or 3 provide narrative to support this determination.

Standards That Limit the Effects to the Permit Area

A ☐ Distance ProhibitionsB ☐ Mining Within Permit BoundariesC ☐ Signs and MarkersD ☐ Sediment Control Measures **TDN**E ☐ Design and Certification Requirements—
Sediment ControlF ☐ Effluent LimitsG ☐ Surface Water MonitoringH ☐ Ground Water MonitoringI ☐ Blasting ProceduresJ ☐ Haul/Access Road Design and MaintenanceK ☐ Refuse ImpoundmentsL ☐ Other: Specify _____

Standards That Assure Reclamation Quality and Timeliness

M ☐ Topsoil Handling **state NOV**N ☐ Backfilling and GradingO ☐ Following Reclamation ScheduleP ☐ Revegetation RequirementsQ ☐ Disposal of Excess SpoilR ☐ Handling of Acid or Toxic MaterialsS ☐ Highwall EliminationT ☐ Downslope Spoil DisposalU ☐ Post Mining Land UseV ☐ Cessation of Operations: TemporaryW ☐ Other _____

United States Department of the Interior
Office of Surface Mining
Mine Site Evaluation Inspection Report

26. State Permit Number

4 4 0 1 5 / 0 3 2

27. Date of Inspection
(Y Y M M D D)

8 9 0 5 0 7

28. Yes ☐ No ☐ Do mining and reclamation activities on the site comply with the plans in the permit?
☐ If no, provide narrative to support this determination.

29. Indicate number of complete and partial inspections conducted by the State to date for this annual review period:

29a. 0 5 Number of Completes

29b. 0 5 Number of Partial

30. Indicate number of complete and partial inspections required by the State during this annual review period:

30a. 0 2 Number of Completes

30b. 0 6 Number of Partial

31. Has inspection frequency been met?

Yes No

31a. ☒ ☐ Completes

Yes No

31b. ☒ ☐ Partial

32. FEDERAL ENFORCEMENT INFORMATION. [Enter violation number. Check appropriate box(es)]

Ten-Day Notice No.

Notice of Violation No.

Cessation Order No.

Violation Codes

8 9 - 0 5 - 1 0 7 - 0 0 1

A ☐

☐

☐

Authorizations to Operate

B ☐

☐

☐

Signs and Markers

C ☐

☐

☐

Backfilling and Grading

D ☐

☐

☐

Highwall Elimination

E ☐

☐

☐

Rills and Gullies

F ☐

☐

☐

Improper Fills

G ☐

☐

☐

Topsoil Handling

H ☒

☐

☐

Sediment Ponds

I ☐

☐

☐

Effluent Limits

J ☐

☐

☐

Water Monitoring

K ☐

☐

☐

Buffer Zones

L ☐

☐

☐

Roads

M ☐

☐

☐

Dams

N ☐

☐

☐

Blasting

O ☐

☐

☐

Revegetation

P ☐

☐

☐

Spoil on the Downslope

Q ☐

☐

☐

Mining Without Permit

R ☐

☐

☐

Exceeding Permit Limits

S ☐

☐

☐

Distance Prohibitions

T ☐

☐

☐

Toxic Materials

U ☐

☐

☐

Other Violations

33. Name of Authorized Representative (print or type)

Signature of Authorized Representative

Date

Signature of Reviewing Official

Date

Genwal Coal Company
P.O. Box 1201
Huntington, Utah 84527

Crandall Canyon Mine
Utah Permit No. 015/032

Oversight Inspection
March 7, 1989

Participants:

Rade H. Orell, Steve Rathbun, Office of Surface Mining Reclamation and Enforcement (OSMRE); Harold Sandbeck, Utah Division of Oil, Gas, and Mining (DOGM); Andrew King, Alan Childs, Genwal Coal Company (operator).

Mine Site Evaluation Inspection Report:

The Mine Site Evaluation Inspection Report form has been completed to reflect the oversight inspection. The inspection resulted in the issuance of a Ten-Day Notice (TDN) to the state of Utah. The number 2 is at performance standard code D, Sediment Control Measures to reflect TDN 89-02-107-1. The TDN is explained in greater detail later in this report. The DOGM inspector issued a Notice of Violation (NOV) as a result of the inspection. The number 2 is at performance standard code M, Topsoil Handling to reflect the issuance of the NOV. The NOV is also explained in greater detail later in this report.

Introduction:

The inspection commenced the morning of March 7 and terminated in the late afternoon of the same day. The weather was clear and mild. Ground conditions were wet due to snow melt. A Pentax camera was used to photograph areas of interest. The inspection included observations of the Mohrland Loadout, Crandall Canyon Mine and records relative to the mine. I provided the operator's representative with the opportunity to review my credentials.

Mohrland Loadout:

The inspection commenced with observations of the Mohrland Loadout. The operator's representatives referenced above were not present for this part of the inspection. We advised the representatives of the inspection of the loadout when we arrived at the office in Huntington.

The inspection indicated that coal loading is ongoing. The "permit" for the loadout expired in December 1988. Genwal is continuing to use the facility although the coal is not being processed. The operator is loading mine run coal into rail cars. The operator's representative expressed the company's intent to continue using the facility. The loadout is approximately 8 miles from the mine site "as the crow flies" and approximately 28 miles from the mine site via established roads. The facility has also been used by another operator for the purpose of coal loading.

The inspection indicated that the site is typical for a coal loadout. The site has apparently been historically used as a loadout. This was indicated by the degree of disturbance. The facility is located on a stream that was flowing at the time of the inspection and may well be perennial. An undersized sediment pond is in place on the east end of the area. The pond was an existing structure at the time Genwal commenced using the site. The company upgraded the structure by installing a spillway (12 inch CMP). The pond is sized to handle the 4-year, 24-hour storm. Most of the drainage from the site reports to the pond. There is some question as to the operator's obligations and liability with respect to the pond. In particular, the pond does not meet the criteria for a permanent structure. Although the pond existed at the time the operator's loading activities commenced by their use of the structure Genwal may have incurred a certain amount of liability. The same question applies to the site as a whole. That question is not resolved at this writing. In addition, there is the question of "at or near" as applies to the requirement to permit the loadout. This also is not resolved at this writing. }

Crandall Canyon Mine:

The inspection of the mine site commenced at the upper bench at the east end of the facility and terminated with the records review in the Huntington office.

The inspection included observations of the upper bench, lower bench, substation, sediment pond, topsoil stockpiles and signs and markers.

Upper Bench - With respect to the upper bench we walked the undisturbed drainage pipe UD-3 to its outlet. We confirmed that the pipe was intact at the time of the inspection. We observed that the berm above the inlet to culvert C-5 needs to be maintained. If the berm material continues to settle a by-pass may result. We also confirmed the integrity of the culvert to its outlet. We walked the upper bench in a westerly direction. We observed ditch DD-8. While minor maintenance of the ditch may be needed the structure was intact and capable of functioning as intended at the time of the inspection.

Lower Bench - For the purpose of this report the lower bench includes the Forest Service parking area, the parking/storage area, the road and the stockpile area.

The inspection of the forest service parking area indicated that the operator is using the facility to store snow removed from the adjacent parking/storage area. The inspection indicated the snow includes coal and other debris from the pad. The facility is not within the disturbed area boundary. The drainage from the parking area does not report to the sediment pond. While the operator has installed strawbales to control runoff from the site an approved "Small Area Exemption" (SAE) does not exist. Therefore, the TDN referenced above was issued to the state of Utah citing UMC 817.42, the requirement to pass all surface drainage from the disturbed area, including areas that have been graded, seeded, or planted through a sedimentation pond, series of sedimentation ponds or other treatment facility before leaving the permit area as the regulation believed to have been violated.

The inspection of the road from the parking storage area to the coal stockpile area indicated that drainage from the west end of the facility and its outslope is treated via alternate sediment control devices approved pursuant to an SAE (SAE #1). Drainage from the area immediately to the east of the SAE along the outslope also does not report to the sediment pond. This area is not covered by an SAE and alternate sediment control devices are not in place. We measured the area where sediment control is required at approximately 220 feet in length. The problem is compounded in that when maintenance, in the form of grading of the road surface, is conducted the material is generally carried to the road outslope. The state inspector indicated that silt fences were removed from the area last May because it was determined that the "grass filter" on the outslope was adequate to control sediment. While that may have been the case last spring this inspection did not indicate that such was the case. This inspection indicated that the outslope is rocky, vegetation is sparse and erosion in the form of small rills was evident. Snow melt runoff was occurring at the time of the inspection. I advised the DOGM representative that in my estimation the violation existed at the time of the last state complete inspection (January 4, 1989). The TDN referenced above includes the failure to pass situation along the road outslope.

Additional drainage controls inspected on the lower bench included culverts C-2, C-3, C-4, and Ditches DD-6 and DD-7. All were found to be intact and functional at the time of the inspection.

We also inspected an additional SAE (SAE #3) on the same road outslope on the east end of the area. The silt fences were in place and partially covered by snow in some areas. The fences will need to be maintained as the snow melts to ensure that a by-pass does not occur. The same applies to treatment devices at SAE #1.

Sediment Pond - The inspection indicated that the sediment pond is in good repair. A small leak at the primary outlet has been noted by the operator and DOGM however it was not flowing at the time of the inspection. Samples are collected when the leak flows. The pond may

need to be decanted in order to repair the leak. We observed the piezometer in the pond embankment. We were not able to see the required 60 percent sediment markers. The operator's representative indicated that the markers are in place but not visible because of the level of water in the pond. We also observed a silt fence at the toe of the sediment pond embankment. The fence was apparently installed to provide sediment control while the pond was being constructed. We questioned the need to maintain the fence given the vegetated state of the pond outslope and that sediment control for sediment control is not a regulatory requirement.

Substation - The inspection of the substation pad indicated that the area was generally in good repair at the time of the inspection. The drainage from this site including the adjacent reclaimed slopes is also covered by an approved SAE (SAE #2). The drainage reports to a small stilling basin before discharging from the site via culvert UD-1. Straw was in place on the reclaimed road that drains to the basin. Strawbales on the south side of the basin have apparently been destroyed by wildlife and need to be replaced. Drainage that may bypass the destroyed bales does not leave the site without either flowing through the stilling basin or south in the vicinity of ditch DD-1 to be retained within the disturbed area.

Topsoil Stockpiles - There are three topsoil stockpiles located on the haul road outside what is termed the disturbed area. The stockpiles are part of the permit area; they also qualify as disturbed area. The drainage from the stockpiles does not drain to a sediment pond nor does the operator have an approved SAE. Therefore, the TDN also included "failure to pass" from the topsoil stockpiles. In addition, the DCGM representative issued an NOV to the company for failure to protect topsoil stockpiles from erosion. The east end of the upper most stockpile was being subject to runoff from the road at the time of the inspection. The runoff was causing erosion of the stockpiled material. We agreed that the problem occurred since the last state complete inspection.

Signs and Markers - We observed the Mine ID Sign, Buffer Zone Signs, Topsoil Stockpile Signs, and Disturbed Boundary markers.

Records Review:

The records review included observations and/or discussions of the NPDES quarterly monitoring reports for 1988, NPDES Permit UT-0024368, certificate of liability, 1988 ground water, and surface water monitoring, Special Use Permit from the US Forest Service for the parking area and haul road, sediment pond certification, quarterly sediment pond inspection reports, sediment pond embankment piezometer monitoring, and subsidence monitoring. If problems exist with the records they were not detected during this inspection.

Close-Out:

The close-out discussion was a reiteration of the days inspection. The DOGM inspector issued the NOV for the violation described above. I advised the operator of the TDN and provided their representative with the opportunity to photocopy it. The DOGM inspector issued a Coal MRP Amendment/Field Decision Form in response to the TDN. The inspector indicated that the form was being issued as a means of addressing the TDN pursuant to INE Directive 27 as a permit deficiency. The TDN was issued for a performance standard violation and not a permit deficiency. We also discussed the "at or near" test for the Mohrland Loadout and the distinct possibility that the haul road from the mine site to the highway (approximately 1.5 miles) will have to be permitted pursuant to recent amendments to the federal regulations (Federal Register/Vol. 53, No. 216/Tuesday, November 8, 1988).

UNITED STATES DEPARTMENT OF THE INTERIOR
Office of Surface Mining
Reclamation and Enforcement
TEN-DAY NOTICE

Originating Office:

Albuquerque Field Office

425 Silver SW Suite 310

Albuquerque, New Mexico 87102

Number: X-89 - 02 - 107 - 1 TV 1

Telephone Number: 505-766-1486

Ten-Day Notice to the State of UTAH Division of Oil Gas and Mining

You are notified that, as a result of a Federal oversight insp. 3-7-89 (e.g. a federal inspection, citizen information, etc.) the Secretary has reason to believe that the person described below is in violation of the Act or a permit condition required by the Act. If the State Regulatory Authority fails within ten days after receipt of this notice to take appropriate action to cause the violation(s) described herein to be corrected, or to show cause for such failure and transmit notice of your action to the Secretary through the originating office designated above, then a Federal inspection of the surface coal mining operation at which the alleged violation(s) is occurring will be conducted and appropriate enforcement action as required by Section 521(a)(1) of the Act will be taken.

Permittee: Crandell Coal Company
(Or Operator if No Permit)

County: Emery

☐ Surface

Mailing Address: P.O. Box 1201 Huntington, Utah 84527

☒ Underground

Permit Number: 015/032

Mine Name: Crandell Canyon

☐ Other _____

NATURE OF VIOLATION AND LOCATION: All surface drainage from the disturbed, including disturbed areas that have been graded, sealed or planted shall be passed through a sedimentation pond,

Section of State Law, Regulation or Permit
Condition believed to have been violated:

NATURE OF VIOLATION AND LOCATION: a series of ponds or a treatment facility before leaving the permit area -
Location: The drainage from the Forest Service
Parking lot/snow storage

Section of State Law, Regulation or Permit
Condition believed to have been violated:

NATURE OF VIOLATION AND LOCATION: The outslope of the road
from the truck turnaround to the loading area
(approximately 220 feet of outslope) and the three
topsoil stockpiles

Section of State Law, Regulation or Permit
Condition believed to have been violated: UMC 817.42

Remarks or Recommendations: located along USFS/Haul Road -

Date of Notice: 3-7-89

Cert. mail ✓

P201 229 422

Signature of Authorized Rep.: R. H. Orell

Print Name and ID: R. H. Orell #107

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT
RANDOM SAMPLE MEIR SUPPLEMENT

1. Permittee General Coal Company
2. Permit Number A-4 015 1032
3. Joint Inspection 1 ☒ Y/N 4. Date 03 - 07 - 89

5. Days since Last State Complete Inspection (LSCI) 61
6. Block 25 Categories in NON-COMPLIANCE this RSI 2
7. Total Violations this RSI 2

8. List (only once) all violations:

- 1) where State enforcement was required and taken during the LSCI;
- 2) recorded in the LSCI report but the State failed to take enforcement;
- 3) observed during this RSI which clearly existed during the LSCI but the State failed to take enforcement; and;
- 4) existing during this RSI which are not already listed under one of the categories above.

A SPECIFIC STATE LAW / REGULATION VIOLATED		B BLOCK 25 CATEGORY	C ABATED (y/n)	D STATE ACTION	E REASON IF UNCITED	F CAUSE	G SERIOUSNESS PEO	H IMPACT	I OSMRE ACTION	J OPTIONAL	K
1.	UMK / 817 / 42 /	D	N	2	WOL	4	2	5	2		
Description:		Failure to pass dist. area drainage through a sediment - 3 separate areas									
2.	UMC / 817 / 23 /	M	N	4		4	3	5	1		
Description:		Failure to protect a topsoil stockpile from erosion									
3.	/ / / /										
Description:											
4.	/ / / /										
Description:											
5.	/ / / /										
Description:											
6.	/ / / /										
Description:											
7.	/ / / /										
Description:											
8.	/ / / /										
Description:											
9.	/ / / /										
Description:											
10.	/ / / /										
Description:											

STATE ACTION

- 1) Existed on LSCI, cited
- 2) Existed on LSCI, not cited
- 3) Cited Prior to LSCI,
Abatement Pending
- 4) Occurred since LSCI

STATE'S REASON FOR NOT CITING VIOLATION
(AFTER DISCUSSION WITH THE STATE)

- 1) Not a Violation
- 2) Precluded by State Policy
- 3) Not included under State Program
- 4) Warning given in lieu of a Citation
- 5) Violation not recognized (missed)
- 6) Practice allowed under approved Permit
- 7) Too minor to cite
- 8) Working with Operator to Correct
- 9) Other:

CAUSES

- 1) Permit Defect
2) Unusual Weather Conditions
3) Unofficial Waiver
4) Operator Negligence
5) Other:

PROBABILITY OF
EVENT OCCURRENCE

- 1) None or Unlikely
2) Likely
3) Occurred

IMPACT

Damage Remains Within the Permit Area

- 1) None or Minor
2) Moderate
3) Considerable

Damage Extends Beyond the Permit Area

- 4) None or Minor
5) Moderate
6) Considerable

Obstruction to Enforcement

- 7 > None or Minor
8 > Moderate
9 > Considerable

OSPRE ACTION

- 1 > Deferred to State Action
2 > TDM issued
3 > IH-CO issued
4 > Previously Cited.
Abatement Pending
5 > Abated during or before
OSPRE inspection